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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,075	10/30/2003	Markus Gerstenberger	A-3843	9171
24131	7590	12/27/2005	EXAMINER	
LERNER AND GREENBERG, PA P O BOX 2480 HOLLYWOOD, FL 33022-2480			KOHNER, MATTHEW J	
			ART UNIT	PAPER NUMBER
			3653	
DATE MAILED: 12/27/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/698,075	GERSTENBERGER ET AL.	
	Examiner	Art Unit	
	Matthew J. Kohner	3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 18-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/30/03; 3/15/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Group I (claims 1-17) in the reply filed on June 23, 2005 is acknowledged.

Claims 18-21 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on June 23, 2005.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the pneumatic grooves introduced into the segment prongs of at least one of said first and second comb segments must be shown or the feature(s) canceled from the claim(s). In Fig. 3 it appears the suction grooves 29 are located adjacent the suction prongs (27 and 26) rather than in the suction prongs as required by the claim language. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must

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be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 and 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 4,202,542 to Lammers et al.

Lammers discloses a sheet transport drum (10) for a machine processing printing-material sheets, the sheet transport drum comprising:

- at least one sheet support surface having pneumatic grooves (sections of drum surface between the individual rail segments which are located within slot 35; see Fig. 15;) formed therein, said sheet support surface having a first comb segment (group of rail segments within the

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slots; see Fig. 15) with segment prongs (individual rail segments; see Fig. 15) and a second comb segment (see e.g. two separate slots in Fig. 2) with segment prongs, said pneumatic grooves being introduced into said segment prongs of at least one of said first and second comb segments (see Fig. 15, where sections of drum surface are between the individual rail segments).

In regard to claim 2, see Fig. 2.

In regard to claim 3, a vacuum is disclosed (see e.g. col. 1, line 51).

In regard to claim 4, see col. 5, lines 10 et seq.

In regard to claims 5-6, see Fig. 4, (#47, 48 and 63).

In regard to claims 14-17, see Fig. 4, (where rotary valve 46 is surrounded on the left and right sides by each half of pneumatic coupling 25).

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 3,986,455 to Jeshke et al.

Jeshke discloses a sheet transport drum (1) for a machine processing printing-material sheets, the sheet transport drum comprising:

- at least one sheet support surface having pneumatic grooves (8) formed therein, said sheet support surface having a first comb segment (see Fig. 2) with segment prongs (support ribs 17) and a second comb segment (Fig. 2) with segment prongs, said pneumatic grooves being introduced into said segment prongs of at least one of said first and second comb segments (see Fig. 2).

In regard to claim 2, see Fig. 2.

In regard to claim 3, a vacuum is disclosed (see e.g. col. 4, line 50 et seq.).

Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by German Patent No. 1,964,780 to Schütz et al.

Schütz discloses a sheet transport drum (1) for a machine processing printing-material sheets, the sheet transport drum comprising:

- at least one sheet support surface having pneumatic grooves (12) formed therein, said sheet support surface having a first comb segment (see Fig. 4; left side) with segment prongs (8/11) and a second comb segment (see Fig. 4; right side) with segment prongs, said pneumatic grooves being introduced into said segment prongs of at least one of said first and second comb segments (see Fig. 4).

In regard to claims 2 and 3, see Fig. 4.

In regard to claims 4-12, see Figs. 4-5 #9, 16, 18, 13,

In regard to claim 13, see Fig. 7 #25.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Kohner whose telephone number is 571-272-6939. The examiner can normally be reached on Mon-Fri 9-5:30.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on 571-272-6944. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Matthew J. Kohner
Examiner
Art Unit 3653

mjk


DONALD P. WALSH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600